

Legal Update No. 227

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Goltsblat BLP advises that, the administrative regulation (the "Regulation") on fulfilment of the federal supervisory function for environmental protection (federal environmental control) issued by the Federal Supervisory Service for Nature Management ("Rosprirodnadzor") and approved by order No. 282 of the Ministry of Natural Resources of the Russian Federation dated 26 July 2010 came into effect on 14 January 2011.

The Regulation consolidates and clarifies the rules set out in various laws and by-laws of the Russian Federation regulating the terms and the sequence of actions (administrative procedures) for exercising federal environmental control.

The facilities subjected to federal environmental control include hazardous production sites, facilities located on the continental shelf of the Russian Federation and other works exerting a negative impact on the environment.

Federal environmental control is exercised in the form of scheduled inspections in compliance with the programme approved by Rosprirodnadzor and of unscheduled inspections.

Generally, an inspection may not last more than 20 working days. Even so, under exceptional circumstances, when there is a need for comprehensive and (or) protracted research work, tests, special expert reviews and investigations, the duration of a scheduled field inspection may be doubled by the head of Rosprirodnadzor (or its local department).

The duration of an inspection of a company operating in a number of constituent entities of the Russian Federation is prescribed individually for each branch or representative office.

The Regulation covers all stages of the control procedure, from developing an annual inspection programme to archiving administrative violation cases. Each stage is considered complete once Rosprirodnadzor's authorised officer or special committee signs an official document, i.e.: an order to carry out an inspection, an inspection report, a ruling to eliminate violations detected, an administrative offence protocol, etc.

The Regulation determines the grounds for performing scheduled and unscheduled inspections of facilities subject to federal environmental control, the manner in which they are to be carried out and the inspectors' rights and obligations.

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